

**EIGHTY-SEVENTH GENERAL ASSEMBLY  
2018 REGULAR SESSION  
DAILY  
HOUSE CLIP SHEET**

**February 22, 2018**

**Clip Sheet Summary**

Displays all amendments, fiscal notes, and conference committee reports for previous day.

<b>Bill</b>	<b>Amendment</b>	<b>Action</b>	<b>Sponsor</b>
<a href="#"><u>HJR 2009</u></a> .....	<a href="#"><u>H-8062</u></a> .....	Filed	MASCHER of Johnson
<a href="#"><u>HJR 2009</u></a> .....	<a href="#"><u>H-8063</u></a> .....	Filed	MASCHER of Johnson
<a href="#"><u>HF 2236</u></a> .....	<a href="#"><u>H-8066</u></a> .....	Filed	STAED of Linn
<a href="#"><u>HF 2300</u></a> .....	<a href="#"><u>H-8065</u></a> .....	Filed	BOSSMAN of Woodbury
<a href="#"><u>HF 2320</u></a> .....	<a href="#"><u>H-8069</u></a> .....	Filed	GUSTAFSON of Madison
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<a href="#"><u>HF 2356</u></a> .....	<a href="#"><u>H-8072</u></a> .....	Filed	HEDDENS of Story, et al
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<a href="#">SF 2131</a> .....	<a href="#">H-8081</a> .....	Filed	MASCHER of Johnson

H-8062

1 Amend House Joint Resolution 2009 as follows:

2 1. Page 1, line 9, after <scrutiny.> by inserting <However,  
3 a person shall be required to obtain a permit to carry weapons  
4 and to complete in-person firearm safety training and to  
5 demonstrate proficiency with a firearm prior to issuance of  
6 an initial and each subsequent renewal of a permit to carry  
7 weapons.>

By MASCHER of Johnson

H-8062 FILED FEBRUARY 21, 2018

H-8063

1 Amend House Joint Resolution 2009 as follows:

2 1. Page 1, line 9, after <scrutiny.> by inserting <However,  
3 a person under twenty-one years of age is prohibited from  
4 possessing, receiving, or transporting or causing to be  
5 transported an assault weapon that is a semiautomatic firearm  
6 with a large magazine of ammunition that is designed and  
7 configured for rapid fire and combat use.>

By MASCHER of Johnson

H-8063 FILED FEBRUARY 21, 2018

H-8066

- 1 Amend the amendment, H-8058, to House File 2236 as follows:
- 2 1. Page 1, after line 18 by inserting:
- 3 <4. This section shall apply only to a life insurance policy
- 4 or contract.>
- 5 2. By renumbering as necessary.

By STAED of Linn

H-8066 FILED FEBRUARY 21, 2018

H-8065

1 Amend House File 2300 as follows:

2 1. Page 1, line 14, by striking <under chapters 147 and  
3 154C.> and inserting <pursuant to chapter 147 and section  
4 154C.3, subsection 1, paragraph "c".>

5 2. Page 1, lines 30 and 31, by striking <under chapters 147  
6 and 154C.> and inserting <pursuant to chapter 147 and section  
7 154C.3, subsection 1, paragraph "c",>

By BOSSMAN of Woodbury

H-8065 FILED FEBRUARY 21, 2018

H-8069

1 Amend House File 2320 as follows:

2 1. Page 2, after line 34 by inserting:

3 <DIVISION \_\_\_\_

4 UNIFORM LIMITED PARTNERSHIP ACT

5 Sec. \_\_\_\_\_. Section 488.102, subsection 19, Code 2018, is  
6 amended to read as follows:

7 19. "*Registered office*" means:

8 ~~a. With respect to a limited partnership,~~ means the office  
9 that ~~the a~~ a limited partnership or foreign limited partnership  
10 is required to designate and maintain under section 488.114.

11 ~~b. With respect to a foreign limited partnership, its~~  
12 ~~principal office.~~

13 Sec. \_\_\_\_\_. Section 488.114, Code 2018, is amended to read as  
14 follows:

15 **488.114 Registered office and registered agent for service**  
16 **of process.**

17 1. A limited partnership or foreign limited partnership  
18 shall designate and continuously maintain in this state ~~both~~  
19 all of the following:

20 a. A registered office, which need not be a place of its  
21 activity in this state.

22 b. A registered agent for service of process.

23 ~~2. A foreign limited partnership shall designate and~~  
24 ~~continuously maintain in this state a registered agent for~~  
25 ~~service of process.~~

26 ~~3.~~ 2. A registered agent for service of process of a  
27 limited partnership or foreign limited partnership must be an  
28 one of the following:

29 a. An individual who is a resident of Iowa ~~or other~~ and  
30 whose business office is identical with the registered office.

31 b. A person ~~other than an individual~~ authorized to do  
32 business in this state whose business office is identical with  
33 the registered office.

34 Sec. \_\_\_\_\_. Section 488.116, subsections 2 and 3, Code 2018,  
35 are amended to read as follows:

1     2. After receiving a statement of resignation, the  
2 secretary of state shall file it and mail a copy to the  
3 registered office of the limited partnership or foreign limited  
4 partnership ~~and another copy to the principal office if the~~  
5 ~~address of the office appears in the records of the secretary~~  
6 ~~of state and is different from the address of the registered~~  
7 ~~office.~~

8     3. A registered agency agent for service of process is  
9 terminated on the date on which the statement of resignation  
10 was filed with the secretary of state.

11     Sec. \_\_\_\_\_. Section 488.809, subsection 1, Code 2018, is  
12 amended to read as follows:

13     1. The secretary of state may dissolve a limited partnership  
14 administratively if the limited partnership does not, ~~within~~  
15 ~~sixty days after the due date,~~ do any of the following:

16     a. Pay, within sixty days after the due date, any fee, tax,  
17 or penalty under this chapter or other law due the secretary of  
18 state.

19     b. Deliver, within sixty days after the due date, its  
20 biennial report to the secretary of state required under  
21 section 488.210.

22     c. Designate and continuously maintain a registered office  
23 and appoint and maintain a registered agent for service of  
24 process as required by section 488.114.

25     d. Deliver for filing a statement of a change under section  
26 488.115 within sixty days after the change has occurred.

27     Sec. \_\_\_\_\_. Section 488.902, subsection 2, Code 2018, is  
28 amended to read as follows:

29     2. A foreign limited partnership shall deliver with the  
30 completed application a certificate of existence or a record  
31 of similar import signed by the secretary of state or other  
32 official having custody of the foreign limited partnership's  
33 publicly filed records in the state or other jurisdiction under  
34 whose law the foreign limited partnership is organized. The  
35 certificate of existence or other record described in this



1 subsection must be dated not earlier than ninety days prior to  
2 the date the application is filed with the secretary of state.

3     Sec. \_\_\_\_\_. Section 488.906, subsections 1 and 2, Code 2018,  
4 are amended to read as follows:

5     1. A certificate of authority of a foreign limited  
6 partnership to transact business in this state may be revoked  
7 by the secretary of state in the manner provided in subsections  
8 2 and 3 if the foreign limited partnership does not do any of  
9 the following:

10     a. Pay, within sixty days after the due date, any fee, tax  
11 or penalty under this chapter or other law due the secretary of  
12 state.

13     b. Deliver, within sixty days after the due date, its  
14 biennial report required under section 488.210.

15     c. ~~Appoint~~ Designate and continuously maintain a registered  
16 office and appoint and maintain a registered agent for service  
17 of process as required by section 488.114, ~~subsection 2.~~

18     d. Deliver for filing a statement of a change under section  
19 488.115 within ~~thirty~~ sixty days after a the change has  
20 occurred ~~in the name or address of the registered agent for~~  
21 ~~service of process.~~

22     2. In order to revoke a certificate of authority, the  
23 secretary of state must prepare, sign, and file a notice of  
24 revocation and send a copy to the foreign limited partnership's  
25 registered agent for service of process in this state, or  
26 if the foreign limited partnership does not appoint and  
27 maintain a proper agent in this state, to the foreign limited  
28 partnership's ~~registered~~ principal office. The notice must  
29 state all of the following:

30     a. The revocation's effective date, which must be at least  
31 sixty days after the date the secretary of state sends the  
32 copy.

33     b. The foreign limited partnership's ~~failures~~ failure  
34 to comply with subsection 1 which ~~are~~ is the reason for the  
35 revocation.

1     Sec. \_\_\_\_\_. Section 488.1206, subsection 1, Code 2018, is  
2 amended by adding the following new paragraph:

3     NEW PARAGRAPH. *Op.* Articles of merger.....\$50

4                                   DIVISION \_\_\_\_

5                                   IOWA BUSINESS CORPORATION ACT

6     Sec. \_\_\_\_\_. Section 490.122, subsection 1, paragraph b, Code  
7 2018, is amended by striking the paragraph.

8                                   DIVISION \_\_\_\_

9                                   IOWA BANKING ACT

10    Sec. \_\_\_\_\_. Section 524.1404, Code 2018, is amended to read  
11 as follows:

12    **524.1404 Procedure after approval by the superintendent —**  
13 **issuance of certificate of merger.**

14    If applicable state or federal laws require the approval of  
15 the merger by a federal or state agency, the superintendent may  
16 withhold delivery of the approved articles of merger until the  
17 superintendent receives notice of the decision of such agency.  
18 If the final approval of the agency is not given within six  
19 months of the superintendent's approval, the superintendent  
20 shall notify the parties to the plan that the approval of the  
21 superintendent has been rescinded for that reason. If such  
22 agency gives its approval, the superintendent shall deliver  
23 the articles of merger, with the superintendent's approval  
24 indicated on the articles, to the secretary of state, and shall  
25 notify the parties to the plan. The receipt of the approved  
26 articles of merger by the secretary of state constitutes filing  
27 of the articles of merger with that office. The secretary of  
28 state shall record the articles of merger, and forward a copy  
29 of the articles ~~shall be filed and recorded in~~ to the office of  
30 the county recorder in each county in which the parties to the  
31 plan had previously maintained a principal place of business  
32 for filing. On the date upon which the merger is effective  
33 the secretary of state shall issue a certificate of merger and  
34 send the same to the resulting state bank and a copy of the  
35 certificate of merger to the superintendent.



H-8069 (Continued)

1 offense.>

2     2. Title page, by striking lines 4 and 5 and inserting  
3 <farming, the powers and duties of the office of secretary of  
4 state, the liability of corporate directors, and commercial  
5 transactions involving creditors, providing for fees, and  
6 providing for penalties.>

7     3. By renumbering as necessary.

By GUSTAFSON of Madison

H-8069 FILED FEBRUARY 21, 2018

H-8070

1 Amend House File 2343 as follows:

2 1. Page 1, line 6, by striking <explicitly> and inserting  
3 <expressly>

4 2. Page 1, line 7, by striking <explicitly> and inserting  
5 <expressly>

6 3. Title page, line 3, by striking <explicit> and inserting  
7 <express>

By OLSON of Polk

H-8070 FILED FEBRUARY 21, 2018

H-8082

1 Amend House File 2351 as follows:

2 1. Page 1, before line 1 by inserting:

3 <DIVISION I

4 HEALTH CARE COVERAGE — SURVIVING SPOUSE AND CHILDREN>

5 2. Page 3, line 22, by striking <This> and inserting  
6 <Division I of this>

7 3. Page 3, line 24, by striking <This> and inserting  
8 <Division I of this>

9 4. Page 3, after line 25 by inserting:

10 <DIVISION II

11 SCHOLARSHIPS FOR SURVIVING CHILDREN OF CERTAIN PERSONS KILLED  
12 IN THE LINE OF DUTY

13 Sec. \_\_\_\_\_. Section 261.87, subsection 1, Code 2018, is  
14 amended by adding the following new paragraph:

15 NEW PARAGRAPH. *0d. "Eligible surviving-child student" means*  
16 *a qualified student who is under the age of twenty-six, or*  
17 *under the age of thirty if the student is a veteran who is*  
18 *eligible for benefits, or has exhausted the benefits, under the*  
19 *federal Post-9/11 Veterans Educational Assistance Act of 2008;*  
20 *who is not a convicted felon as defined in section 910.15; and*  
21 *who meets any of the following criteria:*

22 (1) Is the child of a peace officer, as defined in section  
23 97A.1, who was killed in the line of duty as determined by  
24 the board of trustees of the Iowa department of public safety  
25 peace officers' retirement, accident, and disability system in  
26 accordance with section 97A.6, subsection 16.

27 (2) Is the child of a police officer or a fire fighter, as  
28 each is defined in section 411.1, who was killed in the line of  
29 duty as determined by the statewide fire and police retirement  
30 system in accordance with section 411.6, subsection 15.

31 (3) Is the child of a sheriff or deputy sheriff as each is  
32 defined in section 97B.49C, who was killed in the line of duty  
33 as determined by the Iowa public employees' retirement system  
34 in accordance with section 97B.52, subsection 2.

35 (4) Is the child of a fire fighter or police officer

1 included under section 97B.49B, who was killed in the line of  
2 duty as determined by the Iowa public employees' retirement  
3 system in accordance with section 97B.52, subsection 2.

4 Sec. \_\_\_\_\_. Section 261.87, subsection 3, Code 2018, is  
5 amended to read as follows:

6 3. *Priority for scholarship awards.* Priority for  
7 scholarships under this section shall be given to eligible  
8 foster care students, then to eligible surviving-child  
9 students, who meet the eligibility criteria under subsection  
10 2. Following distribution to students who meet the eligibility  
11 criteria under subsection 2, the commission may establish  
12 priority for awarding scholarships using any moneys that remain  
13 in the all Iowa opportunity scholarship fund.>

14 5. Title page, line 1, by striking <continuation of health  
15 care coverage> and inserting <benefits>

16 6. Title page, line 2, by striking <peace officers> and  
17 inserting <certain peace officers and fire fighters>

18 7. By renumbering as necessary.

By SEXTON of Calhoun

H-8082 FILED FEBRUARY 21, 2018

H-8064

1 Amend House File 2355 as follows:

2 1. Page 4, lines 1 and 2, by striking <of inspections and  
3 appeals>

4 2. Page 5, line 11, by striking <notify the department to>

By SALMON of Black Hawk

H-8064 FILED FEBRUARY 21, 2018



H-8071

- 1 Amend House File 2356 as follows:
- 2 1. Page 5, after line 33 by inserting:
- 3 <9. *Remedies.* If a direct provider breaches a direct
- 4 primary care agreement in violation of this section, a direct
- 5 patient may do any of the following:
- 6 a. File a complaint with the board of medicine.
- 7 b. File a complaint with the attorney general's consumer
- 8 protection division.
- 9 c. Bring a civil action against the direct provider in a
- 10 court of competent jurisdiction.>
- 11 2. By renumbering as necessary.

By WINCKLER of Scott

H-8071 FILED FEBRUARY 21, 2018

H-8072

1 Amend House File 2356 as follows:

2 1. Page 5, after line 33 by inserting:

3 <Sec. \_\_\_\_\_. TERMINATION OF MEDICAID MANAGED CARE CONTRACTS  
4 — ALTERNATIVES FOR HEALTH CARE DELIVERY AND PAYMENT REFORM.

5 1. The department of human services shall, upon the  
6 effective date of this Act, terminate the contracts executed  
7 with managed care organizations to administer the Iowa  
8 high quality health care initiative, in accordance with the  
9 termination provisions of the contract.

10 2. The department shall continue to pursue other  
11 initiatives to realign the health care delivery system and  
12 provide holistic, integrated, patient-centered care while  
13 moving toward a value-based model of payment reform, including  
14 but not limited to the healthiest state initiative, the Iowa  
15 health and wellness plan created pursuant to chapter 249N, the  
16 state innovation models initiative utilizing accountable care  
17 organizations, and integrated health homes.

18 Sec. \_\_\_\_\_. EFFECTIVE DATE. The following, being deemed of  
19 immediate importance, takes effect upon enactment:

20 The section of this Act terminating Medicaid managed  
21 contracts.>

22 2. Title page, by striking lines 1 through 4 and inserting  
23 <An Act relating to the provision of certain health care  
24 services through agreement between individuals and health care  
25 providers and alternatives for health care delivery other  
26 than through Medicaid managed care contracts, and including  
27 effective date provisions.>

28 3. By renumbering as necessary.

By HEDDENS of Story  
ANDERSON of Polk

H-8072 FILED FEBRUARY 21, 2018

H-8073

1 Amend House File 2356 as follows:

2 1. Page 5, after line 33 by inserting:

3 <Sec. \_\_\_\_\_. TERMINATION OF MEDICAID MANAGED CARE CONTRACTS  
4 RELATIVE TO LONG-TERM SERVICES AND SUPPORTS POPULATION —  
5 TRANSITION TO FEE-FOR-SERVICE. The department of human  
6 services shall, upon the effective date of this Act, provide  
7 written notice in accordance with the termination provisions  
8 of the contract, to each managed care organization with whom  
9 the department executed a contract to administer the Iowa  
10 high quality health care initiative as established by the  
11 department, to terminate such contracts as applicable to  
12 the Medicaid long-term services and supports population,  
13 following a sixty-day transition period. The department shall  
14 transfer the long-term services and supports population to  
15 fee-for-service program administration. The transition shall  
16 be based on a transition plan developed by the department and  
17 submitted to the council on human services and the medical  
18 assistance advisory council for review. The department of  
19 human services shall seek any Medicaid state plan or waiver  
20 amendments necessary to complete the transition.

21 Sec. \_\_\_\_\_. EFFECTIVE DATE. The following, being deemed of  
22 immediate importance, takes effect upon enactment:

23 The section of this Act terminating Medicaid managed care  
24 contracts relative to long-term services and supports.>

25 2. Title page, by striking lines 1 through 4 and inserting  
26 <An Act relating to the provision of certain health care  
27 services through agreements between individuals and health care  
28 professionals for the provision of certain primary care health  
29 services and through Medicaid managed care contracts for the  
30 provision of long-term services and supports, and including  
31 effective date provisions.>

32 3. By renumbering as necessary.

By HEDDENS of Story  
ANDERSON of Polk

H-8073 (Continued)

H-8073 FILED FEBRUARY 21, 2018

H-8075

1 Amend [House File 2356](#) as follows:

2 1. Page 5, after line 33 by inserting:

3 <Sec. \_\_\_\_\_. TERMINATION OF MEDICAID MANAGED CARE CONTRACTS  
4 RELATIVE TO LONG-TERM SERVICES AND SUPPORTS POPULATION —  
5 TRANSITION TO FEE-FOR-SERVICE. The department of human  
6 services shall, upon the effective date of this Act, provide  
7 written notice in accordance with the termination provisions  
8 of the contract, to each managed care organization with whom  
9 the department executed a contract to administer the Iowa  
10 high quality health care initiative as established by the  
11 department, to terminate such contracts as applicable to  
12 the Medicaid long-term services and supports population,  
13 following a sixty-day transition period. The department shall  
14 transfer the long-term services and supports population to  
15 fee-for-service program administration. The transition shall  
16 be based on a transition plan developed by the department and  
17 submitted to the council on human services and the medical  
18 assistance advisory council for review.

19 Sec. \_\_\_\_\_. INTEGRATED HEALTH HOME FOR PERSONS WITH SERIOUS  
20 AND PERSISTENT MENTAL ILLNESS (SPMI INTEGRATED HEALTH  
21 HOME). The department of human services shall adopt rules  
22 pursuant to chapter 17A and shall amend existing Medicaid  
23 managed care contracts to carve out SPMI integrated health  
24 homes services as specified in the Medicaid state plan  
25 amendment, IA-16-013, from Medicaid managed care contracts and  
26 instead provide SPMI integrated health home services through  
27 the fee-for-service payment and delivery system.

28 Sec. \_\_\_\_\_. RECALCULATION OF CERTAIN CAPITATION RATES  
29 UNDER MEDICAID MANAGED CARE. For the fiscal year beginning  
30 July 1, 2018, the department of human services shall utilize  
31 Medicaid program claims paid data for the period beginning  
32 April 1, 2015, and ending March 31, 2016, as base data to  
33 develop and certify capitation rates for providers of home and  
34 community-based intellectual disability waiver services under  
35 Medicaid managed care.

1     Sec. \_\_\_\_\_. MEDICAID MANAGED CARE OVERSIGHT. The department  
2 of human services shall amend the Medicaid managed care  
3 contracts and adopt rules pursuant to chapter 17A to provide  
4 that beginning July 1, 2018, all of the following shall apply:

5     1. MEMBER STATUS CHANGES.

6     a. A Medicaid managed care organization shall provide prior  
7 notice, in writing, to a member and to any affected provider,  
8 of any change in the status of the member at least thirty  
9 days prior to the effective date of the change in status. If  
10 notification is not received by the provider and the member  
11 continues to receive services from the provider, the Medicaid  
12 managed care organization shall reimburse the provider for  
13 services rendered.

14    b. If a member transfers from one managed care organization  
15 to another, the managed care organization from which the  
16 member is transferring shall forward the member's records to  
17 the managed care organization assuming the member's coverage  
18 at least thirty days prior to the managed care organization  
19 assuming such coverage.

20    c. If a provider provides services to a member for which the  
21 member is eligible while awaiting any necessary authorization,  
22 and the authorization is subsequently approved, the provider  
23 shall be reimbursed at the contracted rate for any services  
24 provided prior to receipt of the authorization.

25    2. DATA. Managed care organizations shall report to the  
26 department of human services not only the percentage of medical  
27 and pharmacy clean claims paid or denied within a certain  
28 time frame, but shall also report all of the following on a  
29 quarterly basis:

30    a. The total number of original medical and pharmacy claims  
31 submitted to the managed care organization.

32    b. The total number of original medical and pharmacy claims  
33 deemed rejected and the reason for rejection.

34    c. The total number of original medical and pharmacy claims  
35 deemed suspended, the reason for suspension, and the number of

1 days from suspension to submission for processing.

2 d. The total number of original medical and pharmacy  
3 claims initially deemed either rejected or suspended that are  
4 subsequently deemed clean claims and paid, and the average  
5 number of days from initial submission to payment of the clean  
6 claim.

7 e. The total number of medical and pharmacy claims that  
8 are outstanding for thirty, sixty, ninety, one hundred eighty,  
9 or more than one hundred eighty days, and the total amount  
10 attributable to these outstanding claims if paid as submitted.

11 f. The total amount requested as payment for all original  
12 medical or pharmacy claims versus the total amount actually  
13 paid as clean claims and the total amount of payment denied.

14 g. The total number of original medical and pharmacy claims  
15 received, the number of such claims for which one hundred  
16 percent of the requested amount was paid, the number of such  
17 claims for which less than one hundred percent of the requested  
18 amount was paid and the percentage actually paid, and the total  
19 dollar amount of payments denied.

20 3. REIMBURSEMENT. For the fiscal year beginning July 1,  
21 2018, Medicaid providers or services shall be reimbursed as  
22 follows:

23 a. For fee-for-service claims, reimbursement shall be  
24 calculated based on the methodology in effect on June 30, 2018,  
25 for the respective provider or service.

26 b. For claims subject to a managed care contract:

27 (1) Reimbursement shall be based on the methodology  
28 established by the managed care contract. However, any  
29 reimbursement established under such contract shall not be  
30 lower than the rate floor established by the department of  
31 human services as the managed care organization provider or  
32 service reimbursement rate floor for the respective provider or  
33 service in effect on June 30, 2018.

34 (2) For any provider or service to which a reimbursement  
35 increase is applicable for the fiscal year under state law,

1 upon the effective date of the reimbursement increase, the  
2 department of human services shall modify the rate floor in  
3 effect on June 30, 2018, to reflect the increase specified.  
4 Any reimbursement established under the managed care contract  
5 shall not be lower than the rate floor as modified by the  
6 department of human services to reflect the provider rate  
7 increase specified.

8 (3) Any reimbursement established between the managed  
9 care organization and the provider shall be in effect for at  
10 least twelve months from the date established, unless the  
11 reimbursement is increased. A reimbursement rate that is  
12 negotiated and established above the rate floor shall not be  
13 decreased from that amount for at least twelve months from the  
14 date established.

15 4. PRIOR AUTHORIZATION.

16 a. Any change by a Medicaid managed care organization in a  
17 requirement for prior authorization for a prescription drug or  
18 service shall be preceded by the provision of sixty days' prior  
19 written notice published on the managed care organization's  
20 internet site and provided in writing to all affected members  
21 and providers before the effective date of the change.

22 b. Each managed care organization shall post to the managed  
23 care organization's internet site prior authorization data  
24 including but not limited to statistics on approvals and  
25 denials of prior authorization requests by physician specialty,  
26 medication, test, procedure, or service, the indication  
27 offered, and if denied, the reason for denial.

28 Sec. \_\_\_\_\_. MEDICAID STATE PLAN OR WAIVER AMENDMENTS. The  
29 department of human services shall seek any Medicaid state plan  
30 or waiver amendments necessary to administer this Act.

31 Sec. \_\_\_\_\_. EFFECTIVE DATE. The following, being deemed of  
32 immediate importance, take effect upon enactment.

33 1. The section of this Act related to termination of  
34 Medicaid managed care contracts relative to long-term services  
35 and supports populations.



H-8075 (Continued)

1     2. The section of this Act related to SPMI integrated health  
2 home services.

3     3. The section of this Act related to the recalculation of  
4 certain capitation rates under Medicaid managed care.

5     4. The section of this Act related to Medicaid managed care  
6 oversight.

7     5. The section of this Act related to Medicaid state plan  
8 or waiver amendments.>

9     2. Title page, by striking lines 1 through 4 and inserting  
10 <An Act relating to the provision of certain health care  
11 services, including through agreements between individuals and  
12 health care professionals for the provision of certain primary  
13 care health services, and including through the Medicaid  
14 program, and including effective date provisions.>

15     3. By renumbering as necessary.

By HEDDENS of Story  
ANDERSON of Polk

H-8075 FILED FEBRUARY 21, 2018

H-8074

1 Amend House File 2391 as follows:

- 2 1. Page 1, lines 24 and 25, by striking <seventy-five  
3 thousand dollars> and inserting <one hundred thousand dollars>  
4 2. Page 1, lines 29 and 30, by striking <one hundred  
5 thousand dollars> and inserting <one hundred fifty thousand  
6 dollars>

By FISHER of Tama

H-8074 FILED FEBRUARY 21, 2018

H-8067

1 Amend House File 2400 as follows:

2 1. Page 1, line 17, by striking <person> and inserting  
3 <person, in like circumstances,>

By OLSON of Polk

H-8067 FILED FEBRUARY 21, 2018

H-8068

1 Amend House File 2400 as follows:

2 1. Page 1, line 18, after <person.> by inserting <This  
3 subsection shall apply only if the motor vehicle operated by  
4 the person sustained observable damage in the accident.>

By OLSON of Polk

H-8068 FILED FEBRUARY 21, 2018

H-8076

1 Amend Senate File 2131, as amended, passed, and reprinted by  
2 the Senate, as follows:

3 1. Page 2, after line 16 by inserting:

4 <Sec. \_\_\_\_\_. Section 299.4, subsection 1, Code 2018, is  
5 amended to read as follows:

6 1. The parent, guardian, or legal custodian of a child who  
7 is of compulsory attendance age, who places the child under  
8 competent private instruction ~~under section 299A.2, independent~~  
9 private instruction, or private instruction under chapter  
10 299A, not in an accredited school or a home school assistance  
11 program operated by a school district or accredited nonpublic  
12 school, shall furnish to the school district of residence a  
13 ~~report in duplicate on forms provided in the form and manner~~  
14 prescribed by the ~~public~~ school district, ~~to the district~~ by  
15 September 1 of the school year in which the child will be under  
16 competent private instruction, independent private instruction,  
17 or private instruction. The secretary shall retain and file  
18 one copy and forward the other copy to the district's area  
19 education agency. The report shall state the name and age of  
20 the child, the period of time during which the child has been  
21 or will be under competent private instruction, independent  
22 private instruction, or private instruction for the year, an  
23 outline of the course of study, texts used, and the name and  
24 address of the instructor. The parent, guardian, or legal  
25 custodian of a child, who is placing the child under competent  
26 private instruction, independent private instruction, or  
27 private instruction for the first time, shall also provide the  
28 district with evidence that the child has had the immunizations  
29 required under section 139A.8, and, if the child is elementary  
30 school age, a blood lead test in accordance with section  
31 135.105D. The term "*outline of course of study*" shall include  
32 subjects covered, lesson plans, and time spent on the areas of  
33 study.

34 Sec. \_\_\_\_\_. Section 299A.1, subsection 2, paragraph b,  
35 subparagraph (6), Code 2018, is amended to read as follows:

1     ~~(6) Provides, upon written request from the superintendent~~  
2 ~~of to the superintendent of the school district in which the~~  
3 ~~independent private instruction is provided, or from the~~  
4 ~~director of the department of education of residence of each~~  
5 student enrolled, a report identifying the primary instructor,  
6 location, name of the authority responsible for the independent  
7 private instruction, and the names of the students enrolled.

8     Sec. \_\_\_\_\_. Section 299A.3, Code 2018, is amended to read as  
9 follows:

10     **299A.3 Private instruction by nonlicensed person.**

11     1. A parent, guardian, or legal custodian of a child of  
12 compulsory attendance age providing private instruction to  
13 the child shall complete and send, in a timely manner, the  
14 report required under section 299.4 to the school district of  
15 residence of the child.

16     2. A parent, guardian, or legal custodian of a child of  
17 compulsory attendance age providing private instruction to the  
18 child may meet all either of the following requirements:

19     ~~1. Complete and send, in a timely manner, the report~~  
20 ~~required under section 299.4 to the school district of~~  
21 ~~residence of the child.~~

22     ~~2. a.~~ Ensure that the child under the parent's, guardian's,  
23 or legal custodian's instruction is evaluated annually to  
24 determine whether the child is making adequate progress, as  
25 defined in section 299A.6.

26     ~~3. b.~~ Ensure that the results of the child's annual  
27 evaluation are reported to the school district of residence  
28 of the child and to the department of education by a date not  
29 later than June 30 of each year in which the child is under  
30 private instruction.

31     Sec. \_\_\_\_\_. NEW SECTION. **299A.13 Health and safety visits.**

32     1. The board of directors of a school district shall  
33 conduct quarterly home visits to check on the health and safety  
34 of children located within the district who are receiving  
35 competent private instruction, independent private instruction,

1 or private instruction.

2     2. Home visits shall take place in the child's residence  
3 with the consent of the parent, guardian, or legal custodian  
4 and an interview or observation of the child may be conducted.  
5 If permission to enter the home to interview or observe the  
6 child is refused, the juvenile court or district court upon  
7 a showing of probable cause may authorize the person making  
8 the home visit to enter the home and interview or observe the  
9 child.

10     3. The superintendent of the school district shall  
11 designate a person to carry out the duties assigned to the  
12 school district under this section. The person designated  
13 shall be a mandatory reporter, as defined in section 232.69,  
14 subsection 1. The school district may collaborate with the  
15 department of human services, including the local, county, and  
16 service area officers of the department, in conducting the home  
17 visits required under this section.

18     4. The department of education, in collaboration with the  
19 department of human services, shall provide guidelines to  
20 school districts for implementation of this section.

21     Sec. \_\_\_\_\_. STATE MANDATE FUNDING SPECIFIED. In accordance  
22 with section 25B.2, subsection 3, the state cost of requiring  
23 compliance with any state mandate included in this Act shall  
24 be paid by a school district from state school foundation aid  
25 received by the school district under section 257.16. This  
26 specification of the payment of the state cost shall be deemed  
27 to meet all of the state funding-related requirements of  
28 section 25B.2, subsection 3, and no additional state funding  
29 shall be necessary for the full implementation of this Act  
30 by and enforcement of this Act against all affected school  
31 districts.>

32     2. Title page, by striking lines 1 through 4 and inserting  
33 <An Act relating to private instruction by expanding the Iowa  
34 learning online initiative to include students receiving  
35 private instruction and by adding reporting requirements and

H-8076 (Continued)

1 health and safety visits for children placed under private  
2 instruction, and providing for fees.>

3 3. By renumbering as necessary.

By HUNTER of Polk

H-8076 FILED FEBRUARY 21, 2018



H-8077

1 Amend Senate File 2131, as amended, passed, and reprinted by  
2 the Senate, as follows:

3 1. Page 2, by striking lines 4 through 7 and inserting  
4 <used only for the purpose of administering this section and  
5 shall be established so as not to exceed the ~~budgeted~~ cost of  
6 administering this section ~~to the extent not covered by the~~  
7 ~~moneys appropriated in subsection 9.~~ Providing professional>

By MASCHER of Johnson

H-8077 FILED FEBRUARY 21, 2018

H-8078

1 Amend Senate File 2131, as amended, passed, and reprinted by  
2 the Senate, as follows:

3 1. Page 1, line 11, after <299A.3> by inserting <, if the  
4 initiative has the capacity>

By MASCHER of Johnson

H-8078 FILED FEBRUARY 21, 2018

H-8079

1 Amend Senate File 2131, as amended, passed, and reprinted by  
2 the Senate, as follows:

- 3 1. Page 1, line 13, after <agencies> by inserting  
4 <, community colleges, accredited private institutions,  
5 institutions of higher learning governed by the state board of  
6 regents, the department of cultural affairs,>  
7 2. Title page, line 1, by striking <to>  
8 3. Title page, by striking lines 2 and 3 and inserting <and>

By MASCHER of Johnson

H-8079 FILED FEBRUARY 21, 2018

H-8080

1 Amend Senate File 2131, as amended, passed, and reprinted by  
2 the Senate, as follows:

3 1. Page 1, line 32, after <coursework.> by inserting <A  
4 student receiving private instruction under chapter 299A as  
5 described in subsection 1, who completes coursework under  
6 the initiative, shall be evaluated by the school district of  
7 residence using an assessment approved by the department of  
8 education for the subject area in which the student completed  
9 coursework.>

By MASCHER of Johnson

H-8080 FILED FEBRUARY 21, 2018

H-8081

1 Amend Senate File 2131, as amended, passed, and reprinted by  
2 the Senate, as follows:

3 1. By striking everything after the enacting clause and  
4 inserting:

5 <Section 1. Section 261E.8, subsection 2, Code 2018, is  
6 amended to read as follows:

7 2. Students from accredited nonpublic schools and students  
8 receiving competent private instruction ~~or independent private~~  
9 ~~instruction~~ under chapter 299A may access the program through  
10 the school district in which the accredited nonpublic school or  
11 private institution is located.

12 Sec. 2. Section 299.1, subsection 1, Code 2018, is amended  
13 to read as follows:

14 1. Except as provided in section 299.2, the parent,  
15 guardian, or legal or actual custodian of a child who is of  
16 compulsory attendance age shall cause the child to attend some  
17 public school or an accredited nonpublic school, or place  
18 the child under competent private instruction ~~or independent~~  
19 ~~private instruction~~ in accordance with the provisions of  
20 chapter 299A, during a school year, as defined under section  
21 279.10.

22 Sec. 3. Section 299.1B, Code 2018, is amended to read as  
23 follows:

24 **299.1B Failure to attend — driver's license.**

25 A person who ~~is of compulsory attendance age who does~~  
26 ~~not meet the requirements for an exception under section~~  
27 ~~299.2, who~~ does not attend a public school or an accredited  
28 nonpublic school, who is not receiving competent private  
29 instruction ~~or independent private instruction~~ in accordance  
30 with the provisions of chapter 299A, and who does not attend  
31 an alternative school or adult education classes, shall not  
32 receive an intermediate or full driver's license until age  
33 eighteen.

34 Sec. 4. Section 299.4, subsection 1, Code 2018, is amended  
35 to read as follows:

1     1. The parent, guardian, or legal custodian of a child who  
2 is of compulsory attendance age, who places the child under  
3 competent private instruction under either section 299A.2 or  
4 299A.3, not in an accredited school or a home school assistance  
5 program operated by a school district or accredited nonpublic  
6 school, shall furnish a report in duplicate on forms provided  
7 by the public school district, to the district by September 1  
8 of the school year in which the child will be under competent  
9 private instruction. The secretary shall retain and file  
10 one copy and forward the other copy to the district's area  
11 education agency. The report shall state the name and age of  
12 the child, the period of time during which the child has been  
13 or will be under competent private instruction for the year,  
14 an outline of the course of study, texts used, and the name  
15 and address of the instructor. The parent, guardian, or legal  
16 custodian of a child, who is placing the child under competent  
17 private instruction for the first time, shall also provide the  
18 district with evidence that the child has had the immunizations  
19 required under section 139A.8, and, if the child is elementary  
20 school age, a blood lead test in accordance with section  
21 135.105D. The term "*outline of course of study*" shall include  
22 subjects covered, lesson plans, and time spent on the areas of  
23 study.

24     Sec. 5. Section 299.6A, subsection 1, Code 2018, is amended  
25 to read as follows:

26     1. In lieu of a criminal proceeding under section 299.6,  
27 a county attorney may bring a civil action against a parent,  
28 guardian, or legal or actual custodian of a child who is of  
29 compulsory attendance age, has not completed educational  
30 requirements, and is truant, if the parent, guardian, or legal  
31 or actual custodian has failed to cause the child to attend a  
32 public school or an accredited nonpublic school, or to place  
33 the child under competent private instruction ~~or independent~~  
34 ~~private instruction~~ in the manner provided in this chapter. If  
35 the court finds that the parent, guardian, or legal or actual

1 custodian has failed to cause the child to attend as required  
2 in this section, the court shall assess a civil penalty of not  
3 less than one hundred but not more than one thousand dollars  
4 for each violation established.

5 Sec. 6. Section 299.8, Code 2018, is amended to read as  
6 follows:

7 **299.8 "Truant" defined.**

8 Any child of compulsory attendance age who fails to attend  
9 school as provided in this chapter, or as required by the  
10 school board's or school governing body's attendance policy,  
11 or who fails to attend competent private instruction ~~or~~  
12 ~~independent private instruction~~ under chapter 299A, without  
13 reasonable excuse for the absence, shall be deemed to be a  
14 truant. A finding that a child is truant, however, shall not  
15 by itself mean that the child is a child in need of assistance  
16 within the meaning of chapter 232 and shall not be the sole  
17 basis for a child in need of assistance petition.

18 Sec. 7. Section 299.11, subsection 1, Code 2018, is amended  
19 to read as follows:

20 1. The truancy officer may take into custody without  
21 warrant any apparently truant child and place the child  
22 in the charge of the school principal, or the principal's  
23 designee, designated by the board of directors of the school  
24 district in which the child resides, or in the charge of any  
25 nonpublic school or any authority providing competent private  
26 instruction ~~or independent private instruction~~ as defined in  
27 section 299A.1, designated by the parent, guardian, or legal  
28 or actual custodian; but if it is other than a public school,  
29 the instruction and maintenance of the child shall be without  
30 expense to the school district. If a child is taken into  
31 custody under this section, the truancy officer shall make  
32 every reasonable attempt to immediately notify the parent,  
33 guardian, or legal or actual custodian of the child's location.

34 Sec. 8. Section 299.12, subsection 2, Code 2018, is amended  
35 to read as follows:

1     2. This section is not applicable to a child who is  
2 receiving competent private instruction ~~or independent private~~  
3 ~~instruction~~ in accordance with the requirements of chapter  
4 299A. If a child is not in compliance with the attendance  
5 requirements established under section 299.1, and has not  
6 completed educational requirements through the sixth grade,  
7 and the school has used every means available to assure the  
8 child does attend, the school truancy officer shall contact  
9 the child's parent, guardian, or legal or actual custodian to  
10 participate in an attendance cooperation meeting. The parties  
11 to the attendance cooperation meeting may include the child  
12 and shall include the child's parent, guardian, or legal or  
13 actual custodian and the school truancy officer. The school  
14 truancy officer contacting the participants in the attendance  
15 cooperation meeting may invite other school officials, a  
16 designee of the juvenile court, the county attorney or the  
17 county attorney's designee, or other persons deemed appropriate  
18 to participate in the attendance cooperation meeting.

19     Sec. 9. Section 299A.1, Code 2018, is amended to read as  
20 follows:

21     **299A.1   ~~Competent private~~ Private instruction and ~~independent~~**  
22 **~~private instruction.~~**

23     1. The parent, guardian, or legal custodian of a child of  
24 compulsory attendance age who places the child under private  
25 instruction shall provide, unless otherwise exempted, competent  
26 private instruction ~~or independent private instruction~~ in  
27 accordance with this chapter. A parent, guardian, or legal  
28 custodian of a child of compulsory attendance age who places  
29 the child under private instruction which is not competent  
30 private instruction ~~or independent private instruction,~~  
31 or otherwise fails to comply with the requirements of this  
32 chapter, is subject to the provisions of sections 299.1 through  
33 299.4 and the penalties provided in section 299.6.

34     2. For purposes of this chapter and chapter 299:

35     a. "*Competent private instruction*" means private instruction



1 provided on a daily basis for at least one hundred forty-eight  
2 days during a school year, to be met by attendance for at  
3 least thirty-seven days each school quarter, by or under the  
4 supervision of a licensed practitioner in the manner provided  
5 under section 299A.2, or a parent, guardian, or legal custodian  
6 under section 299A.3, which results in the student making  
7 adequate progress.

8 ~~*b.* "Independent private instruction" means instruction that~~  
9 ~~meets the following criteria:~~

10 ~~(1) Is not accredited.~~

11 ~~(2) Enrolls not more than four unrelated students.~~

12 ~~(3) Does not charge tuition, fees, or other remuneration for~~  
13 ~~instruction.~~

14 ~~(4) Provides private or religious-based instruction as its~~  
15 ~~primary purpose.~~

16 ~~(5) Provides enrolled students with instruction in~~  
17 ~~mathematics, reading and language arts, science, and social~~  
18 ~~studies.~~

19 ~~(6) Provides, upon written request from the superintendent~~  
20 ~~of the school district in which the independent private~~  
21 ~~instruction is provided, or from the director of the department~~  
22 ~~of education, a report identifying the primary instructor,~~  
23 ~~location, name of the authority responsible for the independent~~  
24 ~~private instruction, and the names of the students enrolled.~~

25 ~~(7) Is not a nonpublic school and does not provide competent~~  
26 ~~private instruction as defined in this subsection.~~

27 ~~(8) Is exempt from all state statutes and administrative~~  
28 ~~rules applicable to a school, a school board, or a school~~  
29 ~~district, except as otherwise provided in chapter 299 and this~~  
30 ~~chapter.~~

31 ~~*c.*~~ *b.* *"Private instruction"* means instruction using a  
32 plan and a course of study in a setting other than a public or  
33 organized accredited nonpublic school.

34 Sec. 10. Section 299A.3, unnumbered paragraph 1, Code 2018,  
35 is amended to read as follows:

1 A parent, guardian, or legal custodian of a child of  
2 compulsory attendance age providing competent private  
3 instruction to the child ~~may~~ shall meet all of the following  
4 requirements:

5 Sec. 11. Section 299A.11, Code 2018, is amended to read as  
6 follows:

7 **299A.11 Student records confidential.**

8 Notwithstanding any provision of law or rule to the  
9 contrary, personal information in records regarding a child  
10 receiving competent private instruction ~~or independent private~~  
11 ~~instruction~~ pursuant to this chapter, which are maintained,  
12 created, collected, or assembled by or for a state agency,  
13 shall be kept confidential in the same manner as personal  
14 information in student records maintained, created, collected,  
15 or assembled by or for a school corporation or educational  
16 institution in accordance with section 22.7, subsection 1.

17 Sec. 12. Section 321.178, subsection 1, paragraph c, Code  
18 2018, is amended to read as follows:

19 c. Every public school district in Iowa shall offer  
20 or make available to all students residing in the school  
21 district, or Iowa students attending a nonpublic school or  
22 receiving competent private instruction ~~or independent private~~  
23 ~~instruction as defined in section 299A.1,~~ in the district, an  
24 approved course in driver education. The receiving district  
25 shall be the school district responsible for making driver  
26 education available to a student participating in open  
27 enrollment under section 282.18. The courses may be offered  
28 at sites other than at the public school, including nonpublic  
29 school facilities within the public school districts. An  
30 approved course offered during the summer months, on Saturdays,  
31 after regular school hours during the regular terms or partly  
32 in one term or summer vacation period and partly in the  
33 succeeding term or summer vacation period, as the case may  
34 be, shall satisfy the requirements of this section to the  
35 same extent as an approved course offered during the regular

H-8081 (Continued)

1 school hours of the school term. A student who successfully  
2 completes and obtains certification in an approved course in  
3 driver education or an approved course in motorcycle education  
4 may, upon proof of such fact, be excused from any field test  
5 which the student would otherwise be required to take in  
6 demonstrating the student's ability to operate a motor vehicle.  
7 A student shall not be excused from any field test if a parent,  
8 guardian, or instructor requests that a test be administered.  
9 A final field test prior to a student's completion of an  
10 approved course shall be administered by a person qualified  
11 as a classroom driver education instructor and certified to  
12 provide street and highway driving instruction. A person  
13 qualified as a classroom driver education instructor but not  
14 certified to provide street and highway driving instruction  
15 may administer the final field test if accompanied by another  
16 person qualified to provide street and highway driving  
17 instruction.

18 Sec. 13. Section 321.180B, subsection 2, paragraph a, Code  
19 2018, is amended to read as follows:

20 a. The department may issue an intermediate driver's  
21 license to a person sixteen or seventeen years of age who  
22 possesses an instruction permit issued under subsection 1 or  
23 a comparable instruction permit issued by another state for a  
24 minimum of twelve months immediately preceding application,  
25 and who presents an affidavit signed by a parent, guardian, or  
26 custodian on a form to be provided by the department that the  
27 permittee has accumulated a total of twenty hours of street  
28 or highway driving of which two hours were conducted after  
29 sunset and before sunrise and the street or highway driving was  
30 with the permittee's parent, guardian, custodian, instructor,  
31 a person certified by the department, or a person at least  
32 twenty-five years of age who had written permission from a  
33 parent, guardian, or custodian to accompany the permittee, and  
34 whose driving privileges have not been suspended, revoked,  
35 or barred under this chapter or chapter 321J during, and who

1 has been accident and violation free continuously for, the  
2 six-month period immediately preceding the application for an  
3 intermediate license. An applicant for an intermediate license  
4 must meet the requirements of section 321.186, including  
5 satisfactory completion of driver education as required in  
6 section 321.178 ~~or 321.178A~~, and payment of the required  
7 license fee before an intermediate license will be issued. A  
8 person issued an intermediate license must limit the number of  
9 passengers in the motor vehicle when the intermediate licensee  
10 is operating the motor vehicle to the number of passenger  
11 safety belts. In addition, unless waived by the person's  
12 parent or guardian at the time the intermediate license is  
13 issued, for the first six months following issuance of the  
14 license, a person issued an intermediate license must limit the  
15 number of unrelated minor passengers in the motor vehicle when  
16 the intermediate licensee is operating the motor vehicle to  
17 one, except when the intermediate licensee is accompanied in  
18 accordance with subsection 1. For purposes of this subsection,  
19 *"unrelated minor passenger"* means a passenger who is under  
20 eighteen years of age and who is not a sibling of the driver, a  
21 stepsibling of the driver, or a child who resides in the same  
22 household as the driver. The department shall prescribe the  
23 form for waiver of the six-month restriction on unrelated minor  
24 passengers, which may be in an electronic format, and shall  
25 designate characteristics for the intermediate license that  
26 shall distinguish between an intermediate license that includes  
27 the six-month restriction on unrelated minor passengers and  
28 an intermediate license that does not include the six-month  
29 restriction on unrelated minor passengers.

30 Sec. 14. REPEAL. Section 321.178A, Code 2018, is repealed.>

31 2. Title page, by striking lines 1 through 4 and inserting  
32 <An Act relating to private instruction.>

By MASCHER of Johnson

H-8081 (Continued)

H-8081 FILED FEBRUARY 21, 2018